

Remarks

Claims 1-3, 6-9, 11, 12, 15-19, 21, 26, 27, and 32 are currently pending. Claims 1, 7, 11, 15, 19, and 26 have been amended. Applicants assert that all claims are now in condition for allowance as set forth more fully below. Furthermore, Applicants assert that no new issues requiring a new search or consideration result from the foregoing amendments because the subject matter has already been examined, i.e., subject matter of dependent claims has been moved to independent claims. Accordingly, Applicants assert that after-final entry of these amendments and after-final allowance of the case is appropriate.

112 Rejections

Claim 19 has been rejected based on the specification failing to support for user ID numbers being a temporary ID number that is given by the service when one or more of the at least two chatters is not a subscriber of the service. Claim 19 has been amended to remove the portion when one or more of the at least two chatters is not a subscriber of the service. Support for the system giving a temporary ID is fully supported at pages 10 and 11. Accordingly, this rejection of claim 19 should now be withdrawn.

Claim 19 has also been rejected for “the public room” lacking antecedent basis. Claim 19 has been amended to recite “the public voice chat room,” which does have antecedent basis. Accordingly, this rejection of claim 19 should also now be withdrawn.

103 Rejections

Claims 1-32 stand rejected under 35 USC 103 as being unpatentable over various combinations of references including Priest, Vaino, Desimone, Glenn, Harvey, Dowens, Bouvier, and Sonesh. Applicants respectfully traverse these rejections.

Independent claims 1, 11, 19, and 26 now recite elements not disclosed by the combination of these references. Namely, each of these amended claims recites similar elements including at least three points not disclosed by the cited references, singly or in combination.

As a representative example, claim 1 recites in part 1) providing the caller with a menu comprising two or more public voice chat rooms that are predetermined by the service and routing the caller to a public voice chat room selected by the caller if the caller is a subscriber, 2) moderating the public voice chat room selected by the caller, and 3) leading at least the caller and one other participant in the public voice chat room selected by the caller to a private voice chat room and charging the caller and the one other participant with additional fees for the private voice chat room.

The Office Action has stated that point 1 is disclosed by Priest in combination with Vaino. However, it is evident that Priest only provides a menu with a single chat option, as opposed to providing a menu offering two or more public voice chat rooms. Vaino provides an initiator of a conference group with the ability to select which group to call to set up the conference, but the participants to the group besides the initiator are called into the conference, as opposed to selecting to join one chat room or another. Furthermore, the initiator selecting the conference group to invoke is not choosing a chat room because a chat room is an on-going conference of multiple callers that a caller selects to be joined to, whereas the initiator in Vaino is not selecting to join into an on-going conference but is instead causing the conference group call to be started. Thus, Priest in combination with Vaino fails to teach this element of the claims. Accordingly, claims 1, 11, 19, and 26 are allowable for at least this reason, and the dependent claims depend from allowable base claims.

The Office Action has stated that point 2 is disclosed by Priest in combination with Vaino and further in combination with Harvey. As conceded, neither Priest nor Vaino teaches a moderator. However, it is asserted that Harvey teaches a moderator. To the contrary, Harvey only teaches a creator of a chat community (which is not even a voice chat group) that administers the chat group by setting up links to other communities and by designating privacy levels for the community, such as requiring special invitations for chatters to join the group. Moderating the chat conversations as recited in the claims is entirely different from setting up links and setting privacy levels. Moderating involves monitoring the conversations that are on-going so that chatters who do not follow rules about what can be said can be warned and/or removed from the chat. Thus, Harvey does not disclose that moderation of the chat occurs, and the cited combination fails to teach

this element of the claims. Accordingly, claims 1, 11, 19, and 26 are allowable at least for this reason, and again, the dependent claims depend from allowable base claims.

The Office Action has stated in the previous rejection of claim 20 that point 3 is disclosed by DeSimone in combination with Glenn and in combination with Dowens. The discussion by the Office Action then refers to Priest instead of Dowens, but this appears to have been by mistake. In relation to claim 20, it was conceded that DeSimone and Glenn fail to disclose charging additional fees for a private chat room but that Dowens (or perhaps Priest) discloses such. However, neither Dowens nor Priest discloses charging additional fees for a private chat room that has been entered from a public chat room.

Priest discloses a public chat and then a live one-on-one conversation that may occur from the public chat. However, Priest only discloses that there is a fee associated with the public chat and does not address fees associated with live one-on-one conversations (i.e., private chats). Dowens discloses a system for communicating between individuals where the communication may be by telephone or by a private one-on-one textual chat. Dowens does not disclose entering the private chat from a public chat, and also does not refer to fees associated with the private chat. Dowens discloses charging one or both parties to a one-on-one call or charging an independent account for a conference call. However, Dowens does not disclose a private chat entered from a public chat where additional fees, i.e., fees in addition to any fees for the public chat, are charged for the private chat. Accordingly, claims 1, 11, 19, and 26 are allowable at least for this reason, and again, the dependent claims depend from allowable base claims.

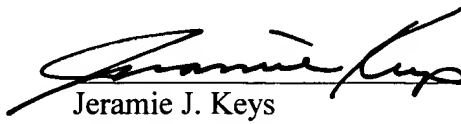
Conclusion

Applicants assert that the application including claims 1-3, 6-9, 11, 12, 15-19, 21, 26, 27, and 32 is in condition for allowance. Applicants request reconsideration after final in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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